

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TRACY L. TODD,

Plaintiff,

v.

03cv1060

ELECTRONICALLY FILED

WARDEN L. P. BENNING, ET AL.,

Defendants.

Order of Court

On October 18, 2006, this Court held a settlement conference which plaintiff failed to attend. In light of the fact that neither the Court nor counsel have been able to communicate with plaintiff at plaintiff's last known address, this Court issued a Rule to Show Cause as to why this case should not be dismissed, with prejudice, for failure to prosecute. Plaintiff was ordered to respond to the show cause order on or before November 5, 2005. No response has been filed. Accordingly, for these reasons, this Court hereby dismisses the above-captioned case with prejudice for plaintiff's failure to prosecute. The Clerk shall mark the docket closed.

SO ORDERED this 7th day of November, 2006.

s/Arthur J. Schwab

Arthur J. Schwab

United States District Judge

cc: All counsel of record as listed below

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